G. R. S. IX-5]

Previous references.

1913. 14
(Courts)

File No. 175-13

Serial Nos. 1-4

Later references.

Ch 284-19(1&2)
" 213-19(1-9)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

Part B for Nov 16

SUBJECT.

Increasing the small cause of jurisdiction of the Municipal, U.G.T.

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4) The Comptroller Bijapur Gazette
J. 1669 of 8/11/16.

Notifies the above

W D 88—GPB—50,000—24-7-16

21/12/16.

G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(Court.)

NOTES

File No. 175 of 1913

FILE HEADING.

Increasing the Small cause jurisdiction of the Munsiff of the Kolar Gold fields.
Amendment of sec: 16 of the Civil Courts Regn:

From

The Registrar, Chief Court

No. 2358/181 Dated 11.12.13 Received 12.12.13

Diary No.	Enclos.	Spare Copies.	Serial No.
J1796			

BRIEF ABSTRACT OF LETTER.

States that the Chief Court are of opinion that the Small cause jurisdiction of the Munsiff, K.G.F., may for the present be fixed at Rs 600/- and adds that, if the proposal be ~~to~~ meets with the approval of Govt, Sec" 16 of the Mysre Civil Courts Regn: may suitably be amended.

NOTES AND ORDERS.

Perhaps

1) The present Small cause jurisdiction of the Munsiff K.G.F., is Rs 50/-. If the same has to be enhanced, Sec" 16 of the Civil Courts Regn: has to be amended before orders enhancing can issue.

2) The reasons for enhancing the jurisdiction

NOTES—First Sheet.

GPB—35,000—15 6-12

G. R. S. 12]

General and Revenue Secretariat. | Cs File No. 175 of 1913-14

Serial No.

and the advantage resulting therefrom have been set forth in the Registrar's letter. Taking the figures of the past official year, it will be seen that there were 911 original suits and 1046 small causes. If the small cause jurisdiction be raised to Rs 100/-, the file of the Munsiff's file during the year consist of 500 original suits & 1500 small causes.

Paper under Proposal

3) Subs forwards with a copy each of the Civil Courts Regn & the Small Cause Courts Regn. Regs. 46 [The territorial jurisdiction of the 12/1/14 Munsiff, K.G.D., comprises the taluks of (48) Bowringpet including the Gold fields]. 13/1/14

Let me see Madras Civil Courts Act 1904, 20.

4) The proposal is a very important one, being to raise the Statutory limit of Small Cause Jurisdn of Munsiffs from Rs 50 to Rs 200. The question is discussed by the Chief Court from the somewhat narrow standpoint of one Court only i.e. the K.G.F. Court, the figures furnished being for that Court alone. It is however clear that the question should be discussed & decided as one of general policy & not as

NOTE—Contn. sheet.

GPB—60,000—7-11-13

Serial No.

as a convenient method of lightening the work of a Single Court.

5) Compared with the Small Cause Jurisdn. exercised by Munsiffs in other parts of India, that of Munsiffs in Mysore is relatively small. In Madras, the limit of Jurisdn. is Rs. 200 & the Munsiff & it is understood that Govt freely exercise the power of vesting Munsiffs with this maximum limit on the recommendation of the High Court.

6) On general principles, there seems to be no serious objection against the proposal. No doubt it will not be quite a popular measure, as parties will be deprived of the right of appeal in such cases. But there is the compensation of speedier disposal & often quick Justice is very much appreciated. The two new Small Cause Courts Regn. provide two grounds in support of this proposal. One of them which is referred to by the Chief Court is that the parties will have the opportunity of having

GPB—60,000—7-11-13

Serial No.

Their cases tried by a Composite Court. Secondly, the Regn., unlike the British Indian Act, Specifies the classes of Suits Cognisable by Courts of Small Causes, enabling parties to know whether their cases will come under the Small Cause Jurisdn or not.

7) An analysis of the figures relating to Small Cause Suits in the Report of Civil Justice for 1911-12 shows that the greater part of ~~Suits~~ Small Cause Suits are below the value of Rs 50. Out of 11365 Small Cause Suits that year

1350 were Suits not exceeding Rs 10 in value

8229 " " between Rs 10 & Rs 50 "

1369 " between Rs 50 & Rs 100

417 " " between Rs 100 & Rs 300

8) Thus the percentage of Suits vanquig in value between Rs 50 & 100 is not very high. It is therefore a point for consideration whether, apart from the KG & Court where the circumstances seem to be somewhat exceptional, any appreciable relief would be forthcoming by the increase of the limit of Jurisdn in the case of the other Courts.

NOTE—Contn. sheet.

GIP—65,000—17-6-12.

C. R. S. 12]

General and Revenue Secretariat.

File No. 175 of 1913-14

Serial No.

9) Submitted for orders

Dy Secy) Spl 7/2

10) The considerations set forth above will weigh much while judging whether a particular Municipal Comt. should or should not be invested with small cause powers exceeding Rs 50 but not exceeding Rs 200.

11) In view of the provision in the recd S.C. Reg. regarding Composite Comt. and the recent improvement of the Municipl cadre, it seems expedient for Govt. to take the proposed power by amending the law. Of course, such power will not be exercised indiscriminately but with due regard to the necessities of each case.

Dy Secy to Govt 17/2

First member)

12) I see no harm in raising the limit to 100 Rs for Munsifs in S.C. of the Ins. C. Regn. (Final note put up).

13) Please circulate for Council.

21/2/14

14) I agree

2 no member + Extra Ordy member) Spl 25/2

3/3

15) Approved R.N.B. 6.3.14

Dy Secy 4/3

Dy Secy 7/3.

NOTE—Contn. sheet.

GIP—65,000—17-6-12.

Final Note by the First Member of Council.

Subject;- Proposal to increase the Small Cause Juris-diction of Munsiffs.

---

16) Under Section 16 of the Mysore Civil Courts Regula-tion, Government may invest a Munsiff with Small Cause Jurisdiction upto a limit of Rs50/-. In connection with the Munsiff's Court at Kolar Gold Fields, the Chief Court are of opinion that it is desirable to raise the Small Cause Jurisdiction to Rs100/- as it would materially lighten the work of that court without any hardship to the parties.

17) In Madras, the Small Cause Jurisdiction of a Munsiff is usually Rs200/-, but considering that the public opinion in the State is against unduly raising the limit, I think that we may take power to increase the jurisdiction of Munsiffs to Rs100/-

18) Section 16 para 2 of the Mysore Civil Courts Regulation may be amended by substituting Rs100/- for Rs50/-.

H. Manjunadayya

Submitted to His Highness.

19) I submit herewith a Final Note by the First Member of Council on the question of increasing the limit of the small cause jurisdiction of Munsiffs from Rs.50 to Rs.100.

20) 2. I solicit His Highness's sanction for amending section 16(2) of the Mysore Civil Courts Regulation by substituting Rs.100 for Rs.50. The amendment will be passed through the Legislative Council in the usual course.

M. Visvesvaraya

28th Mar-1914.

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Proposals of the Chief Court to increase the small cause jurisdiction of Munsiffs.

832

Order.

~~KRW~~

21) 31/3/14

Lawrence

1.4.14.

Bill

2

3/4 given 3/4 22) Draft Bill at once

JION 3/4

G. R. S. 12]

General and Revenue Secretariat.

File No. 175 of 1913

Serial No.

23) The Civil Courts Regulation, 1883 has been amended by Regn IX of 1915, a copy of which is herewith put up. The file is now returned to Branch the Courts section

11/8/16

Legis 43-13
Legis 2-3-14

24) The question remaining for disposal is the issue of a notification investing the Munsiff of K.S.7 with small cause jurisdiction up to Rs 1000/- (last para of paper under disposal).

Submitted for orders.

14.8.16
RR
15/8

25) Put up draft Notification

26) Draft notification submitted.

26.8.16
RR

27) The Chief Court have not again moved in the matter again. It is also a point for consideration whether a Senior Munsiff or a junior will be posted to the K.S.7 Court in the absence of the Khalsa wazir. If approved the Chief Court will be consulted in the first instance.

2043
28.8.16

26/8

Second Member 28)

NOTE—Contn. sheet.

29)

GPB —70,000—17-12-15

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9 1796-13

G. R. S. 12]

(11

General and Revenue Secretariat. | File No. 175 of 1913.

Serial No.

30) Draft Subd
SB
7/9/16.
9/9/16

Second Number) 31) Approved
11/9/9/16

2171
7.9.16

Sub. A.
18/9

2 To The Registrar 32)
Judl Side
Civil Court
Nos D 1064 13th Sept: 16

Relevs Regulation IX of 1915
Enquires whether the Dewanship of
K. P. T may be invested with small
cause Jurisdiction upto Rs 100/-

3 From The Registrar Civil Court
Ref: on S.C. Nos 254 20th Sept: 16
22
States that Dw. S. Venkatakrishnam
aja may be invested with small
cause Jurisdiction upto Rs 100/-

33) Draft notification already put up is
revised
modified & Subd for approval
SB
4/10/16
9/10

34) Please put up a fair Draft
SB
9/10

Ch U/S

B.
15/11

35) Fair Draft put up
SB
6/10/16

36) May be approved
SB
7/10

See J

37) Approved accd
38) 6/11

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | G. File No. 175 of 1913. (12

Serial No.	
4	To The compiler Mysore Gazette no D 1669 8th Nov. 1913 Notifies that Sw S. Venkatakrishna- iya is invested with the Jurisdiction of a court of small causes

NOTE—Contn. sheet.

GPB—70,000—17-12-15

J1796
B 14
Cour5
FILE No. 175-09813
SERIAL No. 1

No. 2358/181

BANGALORE,
11th December 1913.

From

V. A. Rajaratna Mudaliar, Esq.,
Registrar of the Chief Court of Mysore.

To

K. R. Srinivasiengar, Esq., M. A.,
Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

The District Judge of Bangalore has suggested the desirability of increasing the small cause jurisdiction of the Munsiff of Kolar Gold Fields to Rs 200, on the ground that a large number of suits now treated as original are of the nature of small causes being suits for recovery of money due on bonds and accounts, and that the increase of small cause jurisdiction would considerably facilitate the work of the said Munsiff and also give him more time for magisterial work.

2. The Chief Court are of opinion that the jurisdiction may with advantage be increased, and would suggest the same being fixed for the present at Rs 100, the necessity for a further enhancement being considered after some experience is gained of the results of the proposed limit. During the past official year (1912-

(1912-13), 911 original suits and 1046 small causes were filed in the court of the said Munsiff. Of the original suits, about 400 were of the nature of small causes not exceeding Rs. 100 in value. If the small cause jurisdiction be raised to Rs. 100, as proposed, the file of the Munsiff will be about 500 original suits and 1500 small causes.

3. In small cause suits exceeding Rs 50 in value, the parties will, of course, have an opportunity of availing themselves of the provisions of Section 8 of the Mysore Small Cause Courts Regulation (VIII of 1911) and of getting their cases tried by a composite court.

4. If the proposal made meets with the approval of Government, I am to request that the second clause of Section 16 of the Mysore Civil Courts Regulation (I of 1883) may be amended so as to enable Government to enhance the limit of the small cause jurisdiction of Munsiffs up to 200 Rupees whenever necessary, and that a notification may be issued subsequently, investing the Munsiff of Kolar Gold Fields with small cause jurisdiction up to Rs. 100.

I have the honor to be,

S i r ,

Your most obedient servant,

REGISTRAR.

H.C.C.

206

and 1500 Small causes.

Further stating that the parties will, in S.C. (15 Limits
exceeding Rs. 50 in value, have an opportunity
of getting their cases tried by a Commissioner
Court under the Provisions of Section 8 of the
Mysore Small Cause Courts Regulation
(VIII of 1911).

Requesting the 2nd clause of Section 16 of
the Mysore Civil Courts Regulation (1 of 1883)
to be amended to enable Government to
enhance the limit of Small Cause
Jurisdiction of Munsiffs upto Rs. 200/-
whenever necessary and that a Notification may be issued subsequently
investing the Munsiffs of Kolar Gold
Fields with Small Cause Jurisdiction
upto Rs. 100/-

1913—14

From

The Registrar of the
Chief Court of Mysore.

To

The Secretary to the Government
of Mysore, Genl. & Rev. Depts

Dated 11th December, 1913.

Despatched 11th "

Received

General No. 2358

No. ~~484~~ 197

Enclosure No.

Recommending the suggestion of the District Judge of Bangalore to increase the Small Cause Jurisdiction of the Munsiff of Kolar Gold Fields ~~to~~ to Rs. 100/- at present ~~Rs. 200/-~~ as this would facilitate the work of the said Munsiff as well as give him more time for Magisterial work. That if the Small Cause Jurisdiction be raised to Rs. 100/-, as proposed, ~~he~~ the file of the Munsiff will be about 500 original suits and.

GPB—2,000—9-1-12

G. R. S. 26] 9/9

C&G File No. 175-13

Serial No. 2

Diary No. of letter replied to .....

No. 1067

General and Revenue Secretariat

( )

, *the* 191 .

To

The Registrar Chief Court

Sir

Date of issue 13/9/16

Signed by Hon'ble Sir G. Srinivasa Iyer

I am directed to refer to para 4 of your office letter No. 2358/1818 dated 11. Dec 1913 ~~and~~ Jan to enquire; ~~in view of the possibility of a junior Munsiff being posted to the K.G.T. & if it is decided necessary to invest the Munsiff of K.G.T.~~ in place of Mr Mahadevayya may be invested, ~~with~~ as suggested therein with Small cause jurisdiction up to Rs. 100/-

I have &c

Hon'ble

over.

Reply IX of 1915 Section 16 Provincial Small Cause Courts Act in regard to the Small cause powers of Munsiffs i.e. whether the Munsiff is competent to deal with the reference to and if

7/9/16

7/9/16

SUBJECT.

Ref: on S. C. No.257.

(17)

25 SEP 1916

Chief Court of Mysore,

Bangalore, 20th September 1916.

22nd

DIARY No. 728

From

N. T. GOPALIENGAR, Esq., B. A., LL. B.,

Registrar of the Chief Court of Mysore.

19-19
FILE No. 175-13
SERIAL No. 3

To

D. M. NARASINGA RAO, Esq., B. A., B. L.,

Secretary to the Government of Mysore,

General Department.

Sir,

In reply to your letter No.J.1067/Cts.175-13-2 dated the 13th Instant, I am directed to state that in order to give some relief to the Munsiff of Kolar Gold Fields, Mr. S. Venkatakrishniah, who will be transferred to that station may be invested with Small Cause Jurisdiction up to Rs.100/- so long as he may continue to preside over that Court.

I have the honor to be,

S i r,

Your most obedient servant,

N. T. Gopalaiengar

REGISTRAR.

M. S. C.

Fair Draft

Small Cause Jurisdiction to

6/4

W. 274

Bangalore 9/11/16. Mr S. Venkatakrishnaiya

G. R. S. 26]

cls File No. 175-13

Serial No. 4

Diary No. of letter replied to .....

No. J 1669.

Supre Gazette p. 1 p. 681 of 18/11/16

General and Revenue Secretariat

(Courts)

Dated, the 8th Nov 1916.

To

Notification

Under Sec 16 of the Mysore Civil Courts Regulation, 1883, Govt are pleased to invest Mr S. Venkata-Krishnaiya, B.A., B.L., Munsiff, Kolar Gold Fields, with the jurisdiction of a Court of Small Causes, for trial of suits cognisable by such Court, arising within the local limits of his jurisdiction and not exceeding Rs 100/- in value.

2. The powers given by this Notification will be exercised

over.

Date of issue 8th November 1916.

Signed by Mr D. M. Narasimha Rao.

SUBJECT.

Mr Venkatakrishnaya
by ~~the Munsiff~~ so long as he continues
to be the Munsiff, Kolar Gold Fields.

B. O.

E.
7.10
For Secy

Order
6/11

To the Compiler, Mysore Gazette for
publication & for supplying 20
Spare copies in English to this
office:

B
6.10.14)

List of enclosures

Copied by

Examined by

GPB—20.0[illegible]—10-10-14

GENERAL.

No. J. 1669—*Cts.* 175-13-4, *dated 8th November* 1916.

Under Section 16 of the Mysore Civil Courts Regulation, 1883, Government are pleased to invest Mr. S. Venkatakrishnaiya, B.A., B.L., Munsiff, Kolar Gold Fields, with the jurisdiction of a Court of Small Causes, for the trial of suits cognisable by such Court, arising within the local limits of his jurisdiction and not exceeding Rs. 100 in value.

2. The power given by this notification will be exercised by Mr. Venkatakrishnaiya so long as he continues to be the Munsiff, Kolar Gold Fields.

By Order,
D. M. NARASINGA RAO,
Secretary to Government,
General Department.